



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

February 24, 2021

**BY ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

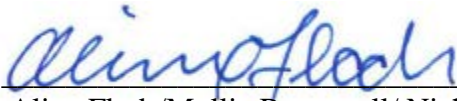
Re: *United States v. Ariel Tavaréz, et al.*, S1 19 Cr. 690 (KPF)

Dear Judge Failla:

On February 23, 2021, a grand jury returned a superseding indictment in the above-captioned case. In light of the COVID-19 pandemic and its corresponding effects on the ability of pretrial detainees to participate in Court conferences, with the consent of all parties, the Court recently converted the previously scheduled March 5, 2021 pretrial motions hearing date in this case into a date and time for an arraignment and pretrial conference on the superseding indictment. The Government requests that the time between today and March 5, 2021, be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), to allow defense counsel to contemplate any motions with respect to the superseding indictment and to allow the parties to continue discussions on pretrial resolutions of this case. The Government respectfully submits that the proposed exclusion would be in the interest of justice. The Government understands that defense counsel for each defendant consents to this request for the exclusion of time.

Very truly yours,

AUDREY STRAUSS  
United States Attorney

by:   
Aline Flodr/Mollie Bracewell/ Nicholas Chiuchiolo  
Assistant United States Attorney  
(212) 637-1110/-2218/-1247

cc: Barry Zone, Esq. (By ECF)  
Lorraine Gauli-Rufo, Esq. (By ECF)

Application GRANTED. It is hereby ORDERED that time is excluded under the Speedy Trial Act between February 24, 2021, and March 5, 2021. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will permit defense counsel prepare any pretrial motions with respect to the superseding indictment and permit the parties to consider a pre-trial disposition.

Dated: February 24, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE